

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE SIDE
CRIMINAL APPLICATION NO.4217 OF 2006

Dattatraya @ Dattu Bhiku Dhumal & Ors. .. Applicant.

V/s.

The State of Maharashtra .. Respondent.

Shri.Promod Kamane h/f. K.S.Patil & Deepak Girme for the applicant.

Shri.R.Y.Mirza, A.P.P. for the State.

CORAM : S.C.DHARMADHIKARI, J.

DATE : 8TH DECEMBER, 2006

P.C.:

1. Heard Shri.Promod Kamane, advocate appearing for the applicant and Shri.R.Y.Mirza, A.P.P. for the State.

. Mr.Promod Kamane brings to my notice the fact that the earlier application of the applicant for bail was rejected by the Trial Court. Thereafter, the applicant approached this Court and Cri.Application No.3559 of 2006

was placed before this Court. It was withdrawn on 31/10/2006. However, after the withdrawal of this application, the co-accused Pramod approached this Court for bail and his application has been allowed by this Court on 20th October, 2006.

. In the light of these changed circumstances, the applicant deserves to be enlarged on bail.

. In my view, the proper course would be to grant liberty to the applicant to move the Trial Court and point out the above circumstances and needless to state that the Trial Court to consider the same, in the event, it is approached for bail afresh. The Trial Court to take into consideration the order passed by this Court as well.

. The application is disposed of.

(S.C.Dharmadhikari, J.)